IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 25TH JULY 2007 / 3RD SRAVANA 1929

WA.No. 1624 of 2007

AGAINST THE JUDGEMENT IN WPC.6707/2006 Dated 14/06/2007
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APPELLANT: PETITIONER:

V.S. SINIL, S/O. V.K.SREEDHARAN,
FORESTER, PRESENTLY WORKING AST PLACHERRY
FOREST STATION, ERUMELI RANGE.

BY ADV. SRI.B.GOPAKUMAR

RESPONDENTS: RESPONDENTS:
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1. THE KERALA PUBLIC SERVICES COMMISSION,
REPRESENTED BY ITS SECRETARY, PATTOM P.O.,
THIRUVANANTHAPURAM.

2. UNION OF INDIA,
REPRESENTED BY THE DIRECTOR OF FOREST EDUCATION,
GOVERNMENT OF INDIA, MINISTRY OF ENVIRONMENT AND
FOREST, NEW DELHI.

3. INDIAN COUNCIL OF FOREST RESEARCH
INSTITUTE, REPRESENTED BY ITS DIRECTOR GENERAL,
FOREST RESEARCH INSTITUTE P.O. NEW FOREST,
DEHRADUN, UTTARANCHAL-480 006.

4. CHIEF CONSERVATOR OF FORESTS
(ADMINISTRATION), THIRUVANANTHAPURAM.

5. THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO FOREST DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

6. S. HEERALAL, FORESTER,
C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

7. HARIKRISHNAN K.V., FORESTER,
C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

8. PAVITHRAN P., FORESTER,
C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

9. HARICHANDRAN B., FORESTER,
C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

10. SOMARAJAN P., FORESTER,
C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

11. ANILKUMAR P.K., FORESTER,
C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

12. HARILAL M.D., FORESTER,
C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

13. HABY C.K., FORESTER,
C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

14. SHANAVAS K., FORESTER,
C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

15. JOSHY SEBASTIAN, FORESTER,
C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

16. SANIL I.P., FORESTER,
C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

17. SHAJI J., FORESTER,
C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

18. JYOTHI K.S., FORESTER,
C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

19. RENJITH KUMAR P., FORESTER,
C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

20. SHANTRI TOM, FORESTER,

C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

21. MANOJ K., FORESTER,
C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

22. PIUS K.T., FORESTER,
C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

23. RAVINDRAN P., FORESTER,
C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

24. JAYAPRAKASH K., FORESTER,
C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

25. SAJU K., FORESTER,
C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

26. SUNILKUMAR K., FORESTER,
C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

27. DINESH SHANKAR N.T., FORESTER,
C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

28. MANOJ K.S., FORESTER,
C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

29. SURESH J., FORESTER,
C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

30. ARUNESH K.V., FORESTER,
C/O. CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
THIRUVANANTHAPURAM.

R1 BY ADV. SRI P.C. SASIDHARAN, STANDING COUNSEL
ADV. SRI V.A. MOHAMMED, STANDING COUNSEL
FOR M.G. UNIVERSITY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD
ON 05/07/2007, THE COURT ON 25/07/2007
DELIVERED THE FOLLOWING:

K.S. RADHAKRISHNAN & ANTONY DOMINIC, JJ.

Writ Appeal No 1624 of 2007

Dated: 25th July 2007

JUDGMENT

Radhakrishnan, J.

Writ petition was preferred by the appellant herein seeking a writ of certiorari to quash Exts. P6 and P6(a) and also for a declaration that she has sufficient qualification for selection to undergo Forest Rangers' Course in the forestry department for the year 2006-2007. Petitioner is possessing degree of Master of Management Science issued by the Faculty of Science of Mahatma Gandhi University. The point in controversy is whether that qualification would meet the requirement mentioned in Ext. P1 notification issued by the Public Service Commission. Notification says that candidates possessing Bachelors Degree in Science or Engineering of any recognised University with at least one of the following subjects; Agriculture, Botany, Chemistry, Computer Applications/Computer Science, Engineering (Agriculture/Chemical/Civil/Computer/Electrical/Electronics/Mechanical), Environmental Science, Forestry, Geology,

Horticulture,Mathematics, Physics, Statistics, Veterinary Science, Zoology, are eligible to apply. Learned single judge came to the conclusion that the management science can never be treated as a science subject for the purpose of the Special Rules for the Kerala Forest Subordinate Service. We have also compared the qualification prescribed by the P.S.C as well as the qualification possessed by the appellant. Going by the qualification prescribed, we are of the view that the qualification prescribed in the notification is Bachelors Degree in Science and not degree in social science or Masters Degree in Management Science. Such a person in our view cannot be treated as a candidate who has satisfied the prescribed qualification. We therefore fully endorse the view of the learned single judge. The appeal therefore lacks merits and the same is dismissed in limini.

Sd/-

K.S. RADHAKRISHNAN
Judge

Sd/-
ANTONY DOMINIC
Judge

25/07/2007
en/ [true copy]